

I hereby certify that this correspondence is being facsimile transmitted to
the U. S. Patent Office at Fax No. (703) 305-7687.

PATENT
Attorney Docket No.: 20375-022200

On August 15, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Sara B. McPeak

Sara B. McPeak

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS

In re application of:

Lynn Holm Blagg et al.

Application No.: 09/298,521

Filed: April 23, 1999

For: METHOD FOR DEFINING A
RELATIONSHIP BETWEEN AN
ACCOUNT AND A GROUP

Examiner: Alain L. Bashore

Art Unit: 3624

TRANSMITTAL OF APPELLANT'S
BRIEF UNDER 37 CFR 1.192

Commissioner of Patents and Trademarks
U. S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Appellants hereby transmit three (3) copies of the brief required under 37 CFR 1.192 in connection with the appeal in the above-captioned application. The NOTICE OF APPEAL UNDER 37 CFR 1.191 was filed by facsimile transmission on August 12, 2002 and received by the Patent and Trademark Office on August 12, 2002.

Appellants hereby request that the fee for filing a brief in support of an appeal, \$310.00, or such greater or lesser amount as the Commissioner may deem is required by 37 CFR 1.17(c), be charged to Deposit Account No. 20-1430.

☒ The brief is being filed under 37 CFR 1.8 and the required Certificate of Facsimile transmission appears above.

☐ Appellants hereby request an oral hearing pursuant to 37 CFR 1.194 and hereby request that the fee for filing a request for oral hearing, \$, or such greater or lesser amount

as the Commissioner may deem is required by 37 CFR 1.17(d), be charged to Deposit Account No. 20-1430.

☒ Appellants reserve the right to request an oral hearing pursuant to 37 CFR 1.194 following receipt of the Examiner's Answer.


☐ A Petition to Extend Time is enclosed.

Respectfully submitted,

TOWNSEND and TOWNSEND and CREW LLP

Date: August 15, 2002

By



Douglas M. Hamilton
Reg. No. 47,629

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: (303) 571-4000 Fax (303) 571-4321 (Denver office)

Enclosures: Appellant's Brief (in triplicate)

10/00

DE 7079345 v1

I hereby certify that this correspondence is being
facsimile transmitted to the U. S. Patent and
Trademark Office, to Fax No.: (703) 305-7687

on August 15 2002

By *Sara B. McPeak*
Sara B. McPeak

PATENT

Attorney Docket No. 20375-022200US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:

Lynn Holm Blagg et al.

Application No.: 09/298,521

Filed: April 23, 1999

For: METHOD FOR DEFINING A
RELATIONSHIP BETWEEN AN
ACCOUNT AND A GROUP

Art Unit: 3624

Examiner: Alain L. Bashore

APPELLANTS' APPEAL BRIEF UNDER
37 C.F.R. §1.192

Assistant Commissioner for Patents
U. S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

Applicants ("Appellants") have filed a timely Notice of Appeal on August 12, 2002. The following is Appellant's Appeal Brief submitted in triplicate pursuant to 37 C.F.R. §1.192(a).

Serial No. 09/298,321

Page 2

REAL PARTY IN INTEREST:

First Data Corporation is the real party in interest as the assignee of the above identified application.

RELATED APPEALS AND INTERFERENCES:

None of Appellant, Appellant's Legal Representative, or Assignees of the subject patent application are aware of any other appeals or interferences which will directly affect, or be directly affected by, or have bearing on the Board's decision in the pending appeal.

STATUS OF THE CLAIMS:

Claims 1-22 are pending and are presented for review in this appeal. Claims 1, 11, and 22 were amended in Appellant's response filed May 6, 2002. Claims 2-10 and 12-21 are as filed.

The following is a list of outstanding claim rejections:

Claims 1-9 and 11-18 stand finally rejected under 35 U.S.C. §102 (b) as being anticipated by Kanter, U.S. Patent 5,537,314 (hereinafter "Kanter");

All claims stand finally rejected under 35 U.S.C. §102 (e) as being anticipated by Fleming, U.S. Patent 5,953,710 (hereinafter "Fleming");

Claim 9 stands finally rejected under 35 U.S.C. §103 as being unpatentable over Kanter, in view of Dethloff et al, U.S. Patent 4,837,422 (hereinafter "Dethloff"); and

Claims 19-22 stand finally rejected under 35 U.S.C. §103 as being unpatentable over Dethloff.

STATUS OF THE AMENDMENTS:

No amendments have been filed subsequent to the Final Office Action of June 27, 2001.

SUMMARY OF THE INVENTION:

Various embodiments of the present invention provide methods for defining relationships between accounts such that group processing is facilitated, while one or more accounts in the group are processed at the account level independent from one or more other accounts in the group. See e.g., Specification at p. 11, ls. 16-19; p. 18, ls. 5-11. Thus, as just one example, a group may comprise two or more independent accounts. A single payment may be received on behalf of the group, and can be divided at the group level into portions allocated to each of the independent accounts. See e.g., id. at p. 11, ls. 15-30; p. 22, ls. 30-39. The portions can then be applied as if two distinct payments were received, and each of the individual accounts settle as if they were not related to the group. See e.g., id. at p. 15, l. 30 - p. 17, l. 20. In this way, an issuer can maintain existing individual account processing, while providing benefits associated with grouping accounts. Said another way, an issuer is not required to modify existing accounts and/or processing thereof to provide for group advantages. Further, this provides an ability to join accounts representing different products that inherently process independently to get the benefits associated with grouping. See e.g., id. at p. 14, l. 20; p. 18, ls. 21-30.

Relationships between the accounts and the group are defined by a dependent strategy which includes a definition of, for example, how a statement for the dependent account is to be generated in relation to the group, directions for communicating with the owner of the account and/or others in the group, and/or reward pooling between the account and other accounts in the group. See e.g., id. at p. 23, l. 32 - p. 24, l. 26. Thus, for example, an owner of a dependent account can receive information about transactions in that dependent account, and in

some cases other dependent accounts within the group, while an owner of another dependent account within the group may not receive any correspondence about the owned dependent account, or other accounts within the group. See e.g., id.

In addition, some embodiments of the present invention provide methods for modifying relationships between accounts and groups to which the accounts are associated. See e.g., id. at p. 28, l. 37 – p. 32, l. 12. Thus, as just one example, a group may consist of one or more dependent accounts, and a key account owned by a primary owner who is the intended recipient of group correspondence and/or primarily liable for various accounts within the group. Such embodiments of the present invention provide methods for modifying the key account, and thus the primary owner of the group. See e.g., id. at p. 30, l. 22-32. In particular embodiments, an owner of a dependent account within the group becomes the primary owner, while the primary owner is switched to dependent status. See e.g., id. In yet other examples, two or more owners are designated as primary owners. See e.g., id. at p. 20, ls. 31-40.

In yet another example, a dependent account can be moved outside of the group, while the relationship of other accounts to the group remain unchanged. See e.g., id. at p. 29, l. 37 – p. 30, l. 16. This is particularly valuable in a situation where a minor child owns a dependent account in a group which the parent is the primary owner. See e.g., id. at p. 29, ls. 5-11. Initially, all communications are directed to the parent and the parent holds the liability for the account. See e.g., id. Later, the child may become a college student with joint liability for the account and responsibility for the monthly payment of the account. See e.g., id. As such, communications regarding the account may be directed to both the primary owner of the group, the parent, and the owner of the dependent account, the child. See e.g., id. Yet later, the child may become financially independent of the parent, at which time the child may remove the same dependent account from the group, and be the sole recipient of all communications and liabilities associated with the account. See e.g., id.

Other examples include modifying directions for communicating with the owner of one dependent account while retaining the previous communications with account owners associated with other accounts in the group. See e.g., id. at p. 41, l. 22 – p. 42, l. 41. Thus, for example, an elderly parent on vacation may have all account communications directed to a child holding another account in the group while the parent is on vacation, and the communications redirected to the parent when they return from vacation.

ISSUES:

ISSUE I. Whether Kanter fails to disclose defining relationships between accounts and a group, where accounts within the group are related to different products;

ISSUE II. Whether each of Kanter and Fleming fails to disclose defining relationships between accounts and a group to facilitate group processing while maintaining independent processing of the accounts;

ISSUE III. Whether each of Fleming and Dethloff fails to disclose maturing a dependent account within an account group to be the primary account within another account group;

ISSUE IV. Whether each of Fleming, Dethloff, and Kanter fails to disclose modifying a dependent account within an account group to be a key account within the account group;

ISSUE V. Whether each of Fleming and Dethloff fails to disclose modifying a key account within an account group to be a dependent account within the account group; and

ISSUE VI. Whether each of Kanter and Fleming fails to disclose modifying the relationship of one account with the group, while maintaining the relationship of another account with the group.

GROUPING OF THE CLAIMS:

It is Appellant's position that all pending claims are patentable over Kanter, Fleming, and Dethloff, whether asserted separately or in combination. The basis for such patentability depends upon different reasons that vary across the following claim groups and, for the purposes of appeal, the patentability of individual claims do not stand or fall based on a holding specific to any of the following groups.

Claims 1-10 fall together into Group I. Independent claim 1 provides a method for defining relationships between a first account and a group and a second account and the group. The first account is associated with a first product and the second account is associated with a second product.

Claims 1-18 fall together into Group II. Independent claim 1 provides a method for defining relationships between accounts and a group to facilitate group processing while maintaining independent processing of the accounts. Independent claim 11 provides a somewhat similar method that includes, *inter alia*, associating a dependent strategy with a dependent account within a group that includes at least the dependent account and another account. The other account is processed independent from the dependent account. Again, somewhat similarly, independent claim 16 provides a method facilitating group level processing while maintaining independent processing of accounts within the group.

Claims 19-21 fall together into Group III. Independent claim 19 provides a method for maturing a dependent account that includes, *inter alia*, modifying the relationship

between a dependent account and a group to which the dependent account belongs, such that the dependent account becomes a key account within another group and the owner of the dependent account becomes the primary owner of the other group.

Claims 9 and 22 fall together into Group IV. Independent claim 22 provides a method for maturing a dependent account that includes, *inter alia*, modifying the relationship between a dependent account and a group to which the dependent account belongs, such that the dependent account becomes a key account within the same group and the owner of the dependent account becomes the primary owner of the group. Similarly, dependent claim 9 provides for modifying ownership of the group by changing the status of one of the accounts within the group.

Claims 19-22 fall together into Group V. Independent claim 22 provides a method for maturing a dependent account that includes, *inter alia*, modifying the relationship between a key account in a group to which the key account belongs, such that the key account becomes a dependent account within the same group. Claim 19 provides a similar limitation.

Claims 4, 15 and 17 fall together into Group VI. Dependent claim 4 provides the method of independent claim 1, where the relationship between one account and a group is modified, while the relationship between another account and the group is maintained. Dependent claims 15 and 17 include similar limitations.

ARGUMENT:

Issue I, Group I. Claims within Group I include defining relationships between a first account and a group and a second account and the group. The first account is associated with a first product and the second account is associated with a second product. Thus, the group encompasses multiple products such that, for example, one credit card product can be combined

with a different credit card product. See e.g., Specification at p. 7, ls. 23-31. More specifically, a MASTERCARD product can be grouped with a VISA product. Id.

The Examiner rejects claims within Group I under 35 U.S.C. § 102 under Kanter. Office Action of November 27, 2001 at ¶¶ 2 and 3; see also, Office Action of July 26, 2002 at ¶¶ 3 and 4 (simply stating “[t]he claims are rejected as set forth in the previous office action”). However, the Examiner fails to identify anywhere in Kanter that such a limitation is disclosed. Rather, the Examiner’s rejection simply ignores the limitation.

Kanter discloses an incentive consolidation platform where a single participant account acts as a central storage of qualifying purchase history, and bonuses earned. Via such an incentive consolidation program, a company can advertise, or otherwise encourage purchases of the company’s products by a consumer. Kanter at col. 12, l. 49 – col. 15, l. 60. In the incentive program, “[p]articipants need only one card or account number to participate in multiple sponsoring company programs . . .” Id. at col. 17, ls. 6-7. Indeed, one of the explicit purposes of Kanter is to “eliminate . . . the need for issuance of multiple cards, credit lines, and statements to an individual that participates . . .” Id. at col. 14, ls. 11-13.

Thus, not only does Kanter fail to disclose each element of Appellant’s Group I claims, it actually teaches away from such claims. As Kanter fails to disclose “[t]he identical invention . . . shown in as complete detail as is contained in the . . . claim”, the rejection fails and should be withdrawn and the claims allowed. MPEP at § 2131 (quoting Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).

Issue II, Group II. Claims within Group II include facilitating group level processing related to accounts within a group, while maintaining independent processing of the accounts. Maintaining such independent processing avoids various disadvantages exhibited by the cited art, and discussed in detail in the background of Appellant’s application. See

Specification at p. 2, l. 8 – p. 7, l. 20. Where Appellant's application discusses and distinguishes the cited art, it should not come as any surprise that the cited art fails to address each limitation of Appellant's claims. Perhaps this is the reason why the rejections continue to ignore this limitation of the claims. Office Action of November 27, 2001 at ¶¶ 2 and 3; see also, Office Action of July 26, 2002 at ¶¶ 3 and 4 (simply stating "[t]he claims are rejected as set forth in the previous office action").

More particularly, Fleming teaches an approach whereby a parent can provide a child with access to a credit card. Such an approach was discussed in the background of Appellant's application where three avenues of providing a child with a credit card are discussed. The three avenues include: "1) provid[ing] a child an additional card on the parent's account, 2) provid[ing] the child with a card on an account where the child is the primary user and the parent is the responsible party, [and] 3) provid[ing] the child with a secured card by providing collateral for the account." Specification at p. 3, ls. 24-31. Fleming simply discloses the second and third options, but does not address Appellant's invention as claimed. As discussed by Appellants, each of the approaches has disadvantages which are also evident in Fleming. Id. at p. 3, l. 32 –p. 4, l.3.

In relation to the second option, Fleming discloses a method for providing a child with a credit card on an account where the child is the primary user and the parent is the responsible party. To do this, a credit card account held by the parent is imbedded with the child's account number and a credit card account held by the child is imbedded with the parent's credit card account number. Fleming at col. 6, ls. 48-54. In this way, the parent's and the child's account are tied together such that they do not process independently at the account level. One disadvantage of tying the accounts together at the account level "is that the parent's access to credit may be reduced." Specification at p. 3, ls. 35-40. This is in fact one of the disadvantages of Fleming. See e.g., Fleming at Fig. 6, el. 108; col. 10, ls. 43-47.

Rather than disclosing independent account processing, the methods of Fleming actually embrace the opposite where the accounts are processed dependently at the account level. As one example, the parent's account in Fleming includes charges for both the parent's and the child's accounts with the charges for both the parent's and the child's accounts being used to compute the interest which is accrued to the parent's account. Id. at col. 7, ls. 33-37. Thus, the "invention [of Fleming] incorporates processing such that interest charges do not accrue against the child's account . . . [as] the child's charges are part of the parent's account balance due and will result in interest charges to the parent's account . . ." Id. at col. 12, 38-42. As with any credit card account, if a parent does not make a complete payment (including both parent's and child's portions), interest charges will accrue on the unpaid portion. Id. at col. 12, ls. 36-38. Even where a child makes a payment, that payment is applied to the parent's account balance. Id. at col. 12, ls. 46-48. As such, the accounts in Fleming process dependently at the account level.

In relation to the third option, Fleming discloses a method whereby a parent uses a balance deposited in relation to a debit card to secure a child's credit card. Fleming at col. 12, l. 57 – col. 13, l. 15. As discussed in Appellant's specification, "the disadvantage of providing the child with a secured card by providing collateral for the account is that the collateral is committed to secure the account regardless of the amount of activity on the account." Specification at p. 3, ls. 40 - p. 4, l. 1. Again, the same disadvantage is apparent in the method proposed in Fleming, and Fleming fails to disclose teach or suggest how this method can be modified to provide the method as provided in the Group II claims.

Additionally, Kanter fails to disclose, teach, or suggest a method including grouping accounts while maintaining independent processing of individual accounts. In fact, Kanter should not be expected to disclose such a method as Kanter disparages even use of multiple accounts. More particularly, Kanter disparages use of multiple accounts as "participants [run] out of room in their wallet for extra cards and confusion created from having several charge

cards . . .” Kanter at col. 10, l. 67 – col. 11, l. 1. Kanter continues discussing the disadvantages of a multiple account system, and finishes with an omnibus rejection of such an approach by stating that: “There are sure to be other similar problems relating to a participant having too many incentive cards.” Id. at col. 11, ls. 20-41. From this position, Kanter goes on to propose a solution that includes one card associated with a participant’s account to which multiple companies can post incentive rewards. Id. at col. 16, ls. 40-42 and 53-56. Thus, Kanter teaches consolidation into a single account, and does not teach grouping accounts in a way that maintains independent processing of the accounts.

Hence, as Kanter and Fleming both fail to disclose each and every element of the rejected claims, the rejections based on the cited art is flawed and should be withdrawn and the claims allowed. MPEP at § 2131 (citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Issue III, Group III. Claims within Group III include maturing a dependent account within an account group to be the primary account within another account group. As an example, such an approach can include removing an account from a group such that the same account continues to operate without requiring modifications to the account. Thus, for example, in the case of a divorce, an account associated with a divorced spouse may be removed from the group, while continuing to operate as a separate account. This can be advantageous to an issuer because a removed spouse does not have any need or incentive to consider other possible accounts. Such a need would exist if the removed account could not function apart from the group from which it was removed.

None of the cited art discloses any mechanism for separating an account from a group to which it was previously affiliated. However, to support the rejection, the Examiner offers “col. 16, line 1 et seq.” of Fleming. Office Action of November 27, 2001 at ¶¶ 3; see also, Office Action of July 26, 2002 at ¶¶ 4 (simply stating “[t]he claims are rejected as set forth in the

previous office action”). The cited section simply discloses the possibility of having two parents overseeing a child’s account with one of the parents being designated as the “primary” account. There is no disclosure of modifying the relationship of a dependent account within the group such that it becomes a key account in another group. Further, there is not even any suggestion or motivation to perform the modification as provided in Appellant’s claims. It is only in the light of Appellant’s specification that the cited section can take on the life asserted by the Examiner in the rejection. This of course, unacceptably relies on hindsight.

This use of hindsight also pervades the Examiner’s interpretation of Dethloff. Dethloff discloses a “multi-user card” that allows a cardholder to assign rights to “a third person (sub-user)”. Dethloff at col. 4, l. 6; col. 5, ls. 13-14. Such a card is particularly useful to allow a cardholder to permit their card to be used by a third party. Id. at col. 3, ls. 44-46. The function of Dethloff is manifest in an example of the advantages of such a multi-user card. Id. at col. 7, ls. 23-36. In the example, a company is able to allow an employee to make charges to the company’s account using the company’s card. Id. Simply stated, Dethloff has nothing to do with the proposition for which the Examiner attempts to portray it. Dethloff simply provides no disclosure, suggestion, motivation, or even possibility for maturing a sub-user’s independent account (which does not even exist in Dethloff), to a primary account associated with another group of accounts (which also does not exist in Dethloff).

To overcome the utter failure of Dethloff, the Examiner offers an omnibus cure that to the extent such disclosure is not provided, “it would have been obvious to one of ordinary skill in the art at the time of invention to modify the dependent account relationships according to the method of Dethloff et al. as [a] way to manage multi-company and multi-service cards among a plurality of different users over a period of time . . .” Office Action of November 27, 2001 at ¶ 6; see also, Office Action of July 26, 2002 at ¶ 6 (simply stating “[t]he claims are rejected as set forth in the previous office action”). How would it be obvious to modify the relationship of an account that does not exist in Dethloff to a group which does not exist in

Dethloff such that the account which does not exist in Dethloff becomes a primary account within another group of accounts which also does not exist in Dethloff? Simply stated, it is not.

As both Dethloff and Fleming fail to disclose the element at issue, the rejection fails and should be withdrawn and the claims allowed.

Issue IV, Group IV. Claims within Group IV include maturing a dependent account within an account group to be a key account within the same account group. As an example, such an approach can include changing the recipient of communications within an account group. Thus, for example, in the case of a primary owner that leaves on vacation, responsibilities of the primary owner can be diverted to an owner of one of the dependent accounts within the group.

The Examiner suggests that Kanter provides such disclosure by rejecting claim 9 based on Kanter. Such a suggestion is simply wrong. In fact, the Examiner tacitly admits the flaw by again failing to address this limitation in the rejection based on Kanter. Office Action of November 27, 2001 at ¶ 2; see also, Office Action of July 26, 2002 at ¶ 3 (simply stating “[t]he claims are rejected as set forth in the previous office action”).

The Examiner then follows the same flawed approach that was used in rejecting claims from Group III to reject the claims based on Fleming. More particularly, the Examiner asserts that Fleming discloses “maturing a dependent account into a key account . . . at column 16, line 1 et seq” Office Action of November 27, 2001 at ¶ 3; see also, Office Action of July 26, 2002 at ¶ 4 (simply stating “[t]he claims are rejected as set forth in the previous office action”). As with the previous rejection, Fleming provides no such disclosure, motivation or suggestion. It is only in hindsight that such a modification to the disclosure of Fleming is possible, and again such hindsight is not acceptable.

Similarly, Dethloff also fails to address such a limitation. Hence, as none of the cited art discloses the element at issue, the rejection of the claims must fail and should be withdrawn and the claims allowed.

Issue V, Group V. Claims within Group V include modifying a key account within an account group to be a dependent account within the account group. The same example as provided in relation to Issue IV, Group IV is relevant for this group. Of note, the rejections fail to even address this limitation. Office Action of November 27, 2001 at ¶¶ 3 and 6; see also, Office Action of July 26, 2002 at ¶¶ 4 and 6 (simply stating “[t]he claims are rejected as set forth in the previous office action”).

For the same reasons set forth in relation to the claims of Groups III and IV, neither Dethloff nor Fleming provide disclosure requisite for supporting the rejection of the claims. Hence, the rejection should be withdrawn and the claims allowed.

Issue VI, Group VI. Claims within Group VI include modifying the relationship of one account to the group, while maintaining the relationship of another account within the group constant. Of note, the Examiner fails to even address the limitation in the rejection based on Kanter. Office Action of November 27, 2001 at ¶ 2; see also, Office Action of July 26, 2002 at ¶ 3 (simply stating “[t]he claims are rejected as set forth in the previous office action”). As discussed above, Kanter provides a consolidated account. There is no other relationship to maintain when the consolidated account is modified. Thus, Kanter does not disclose this limitation.

Fleming also fails to disclose the element at issue, although the rejection based on Fleming at least admits the existence of the element. Office Action of November 27, 2001 at ¶ 3; see also, Office Action of July 26, 2002 at ¶ 4 (simply stating “[t]he claims are rejected as set

forth in the previous office action”). The rejection states that the element is “inherently disclosed, e.g., for multiple dependents [at] column 3, line 50 et seq . . .”. Id. This is simply not so. Fleming discloses the possibility of adding more than one child to a parent’s account. However, Fleming does not disclose, teach or suggest that where multiple children are added to the parent’s account that the modification of one child’s account will not modify other accounts. The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish inherency. MPEP § 2112 (citing In re Rijckaert, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993)). Rather, “[to] establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described, and that it would be so recognized by persons of ordinary skill.” MPEP at § 2112 (quoting In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-1951 (Fed. Cir. 1999)). Such inherency does not exist in this case. In fact, the disclosure suggests just the opposite as each of the parents and children share the same credit limit, a modification of one child’s account will likely modify other accounts in the group by modifying the shared credit limit. As the element at issue is not inherent in Fleming, the rejection should be withdrawn and the claims allowed.

CONCLUSION:

Appellant respectfully requests the Board of Patent Appeals and Interferences rule that claims 1-22 are patentable over the cited art for at least the reasons provided above.

Serial No. 09/298,521

Page 16

Please deduct the requisite fee, pursuant to 37 CFR §1.17(c) from deposit account 20-1430 and any additional fees associated with this brief. This brief is submitted in triplicate.

8/15/2002

Date

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by 'M. Hamilton'. The signature is written over a horizontal line.

Douglas M. Hamilton
Reg. No. 47, 629

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Phone (303) 571-4000
Fax (303) 571-4321

Encl.: Appendix of claims involved in appeal.

APPENDIX

1. (Previously Once Amended) A method for defining relationships between accounts and a group to facilitate group processing while maintaining independent processing of the accounts, wherein the group includes a first account corresponding to a first product and a second account corresponding to second product, the method comprising:

providing parameters that correspond to group processing options;
defining a first relationship between the first account and the group by selecting values for the parameters to define a first set of group processing options; and
defining a second relationship between the second account and the group by selecting values for the parameters to define a second set of group processing options that is independent of the first set of group processing options.

2. (As filed) The method of Claim 1, further comprising the steps of:
grouping the first set of group processing options together; and
labeling the first set of group processing options as a dependent strategy.

3. (As filed) The method of Claim 2, further comprising the step of:
maintaining a strategy history for the dependent strategy, wherein the strategy history includes any changes in the group processing options associated with the strategy.

4. (As filed) The method of Claim 1, further comprising the step of:
modifying the first relationship by modifying the first set of group processing options while maintaining the second relationship.

5. (As filed) The method of Claim 1, wherein the parameters include an authorization option.

6. (As filed) The method of Claim 1, wherein the parameters identify a liable party.

7. (As filed) The method of Claim 1, wherein the parameters include a cardholder communication option.

8. (As filed) The method of Claim 1, wherein the parameters include a reward pooling option.

9. (As filed) The method of Claim 1, wherein a primary owner is associated with the group and a first cardholder is associated with the first account, comprising the step of:

modifying ownership of the group so that the first cardholder is a new primary owner by changing a relationship parameter value for the first account from dependent to key.

10. (As filed) The method of Claim 1, further comprising the step of: maintaining account history for the accounts in the group, wherein the account history for each account includes any changes in the group processing options associated with the account and any changes in the account's membership in the group.

11. (Previously Once Amended) A method for creating a dependent strategy to customize a relationship between a dependent account and a group, the method comprising:

selecting a set of parameters from a plurality of parameters;
defining values for the set of parameters to define group processing options;

labeling the set of parameters and the values for the set of parameters as the dependent strategy; and

associating the dependent strategy with the dependent account to customize the relationship between the dependent account and the group, wherein the

group includes at least the dependent account and another account, and wherein and the other account is processed independent from the dependent account.

12. (As filed) The method of Claim 11, further comprising the step of:
modifying the dependent strategy by:

selecting a parameter from the set of parameters; and
modifying the value of the selected parameter.

13. (As filed) The method of Claim 11, wherein the dependent strategy is associated with a plurality of dependent accounts that are associated with a plurality of groups, further comprising the steps of:

modifying the dependent strategy by:

selecting a parameter from the set of parameters; and
modifying the value for the selected parameter so that the

relationships between the dependent accounts associated with the dependent strategy and the groups are modified.

14. (As filed) The method of Claim 11, further comprising the step of:
defining a second set of values for the set of parameters;

labeling the set of parameters and the second set of values as a second
dependent strategy; and

associating the second dependent strategy with a second dependent
account to customize the relationship between the second dependent account and the
group.

15. (As filed) The method of Claim 14, further comprising the steps of:
changing the relationship between the dependent account and the group

by:

associating the second dependent strategy with the dependent account to change the relationship between the dependent account and the group while maintaining the relationship between the second dependent account and the group.

16. (As filed) A method for defining relationships between accounts in a group to facilitate group level processing while maintaining independent processing of the accounts, comprising the steps of:

providing a plurality of dependent strategies, each dependent strategy defining a customized relationship to the group;

associating a first dependent strategy with a first account to define the relationship between the first account and the group; and

associating a second dependent strategy with a second account to define the relationship between the second account and the group.

17. (As filed) The method of Claim 16, further comprising the steps of: changing the relationship between the first account and the group by associating a different dependent strategy with the first account so that the relationship between the first account and the group is changed while maintaining the relationship between the second account and the group.

18. (As filed) The method of Claim 16, wherein a primary owner is associated with the group, and wherein the first dependent strategy specifies that a first cardholder associated with the first account is jointly liable for the group.

19. (As filed) A method for maturing a dependent account that is a member of a group into a key account for a second group, comprising the steps of:

selecting the dependent account; and

modifying a relationship parameter that defines the dependent account's relationship to the group from dependent to key, so that the dependent account is matured

into the key account for the second group and a dependent cardholder associated with the dependent account is matured into a primary owner of the second group.

20. (As filed) The method of Claim 19, further comprising the step of:
maintaining account history for the dependent account by associating the account history with the key account for the second group.

21. (As filed) The method of Claim 19, wherein the group includes a plurality of dependent accounts, further comprising the steps of:

selecting a set of dependent accounts;
moving the set of dependent accounts to the second group; and
maintaining account histories for the set of dependent accounts.

22. (Previously Once A) A method for maturing a dependent account into a key account for a group, the group including the dependent account and an original key account that corresponds to an original primary owner, wherein the original key account is distinct from the dependent account, the method comprising:

selecting the dependent account;
modifying a relationship parameter that defines the dependent account's relationship to the group from dependent to key, so that the dependent account is matured into the key account and a dependent cardholder associated with the dependent account is matured into a primary owner of the group; and

modifying a relationship parameter that defines the original key account's relationship to the group from key to dependent, so that the original key account is changed to a second dependent account and the original primary owner is changed to a second dependent cardholder.